

APPLICANT(S): BURR, Jeremy
SERIAL NO.: 10/035,463
FILED: October 18, 2001
Page 9

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-5 and 7-28 are pending in the application. Claims 1-5 and 7-28 have been rejected. Claims 1, 4, 5, 7 and 18 have been amended.

Claim 3 has been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserves all rights in this claim to file divisional and/or continuation patent applications.

Applicant respectfully asserts that the amendments to the claims add no new matter. For example, support for the claim amendments can be found in Fig. 4, and page 7 of the specification as filed, lines 18-35.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-5 and 7-28 under 35 U.S.C. § 103(a), as being unpatentable over Ahmed et al. (U.S. Patent No. 6,816,460) in view of Kagan et al. (U.S. Patent No. 5,618,045).

Applicant respectfully asserts that amended independent claims 1, 7 and 18 are allowable over the cited references, alone or in combination.

More specifically, Applicant asserts that neither Ahmed et al. nor Kagan et al. alone or in combination teach or disclose "... a device list including devices having the same installed application software package, said device list including a routing table to said devices ...", "... a route of the routing table is determined according to a cost of routing and includes a direct or indirect route to an intended device of said subset of the ad-hoc network ..." and "...establish said subset of the ad-hoc network of the mobile devices of the ad-hoc

APPLICANT(S): BURR, Jeremy
SERIAL NO.: 10/035,463
FILED: October 18, 2001
Page 10

network that include said installed application software package based on the routing table ...” as recited in amended independent claim 1.

Neither Ahmed et al. nor Kagan et al. alone or in combination teach or disclose "...establishing a sub-network of only a subset of the mobile devices that have installed therein said application software package based on the routing table wherein, a route of the routing table is determined according to a cost of routing and includes a direct or an indirect route to an intended device of said sub-network..." as recited in amended independent claims 7 and 18.

Thus, Applicant respectfully submits that a *prima facie* case of obviousness has not been presented at least because the proposed combination does not teach and/or disclose establishing a subset of the ad-hoc network which may include direct and indirect routes to in range devices of the subset network.

Applicant respectfully submit that the above limitations of claims 1, 7 and 18 would not have been obvious to a person skilled in the art at the time the invention was made, in view of Ahmed et al. and Kagan et al., alone or in combination. Therefore, amended independent claims 1, 7 and 18 are patentable over the prior art rejections of record.

Claim 3 has been cancelled. Each of claims 2, 4-5, 8-17, and 19-28 depends from one of patentable base claims 1, 7 and 18. Therefore, in addition to any independent bases for patentability, Applicant respectfully submit that claims 2, 4-5, 8-17, and 19-28 are likewise patentable. Applicant asserts that claims 1, 2, 4, 5 and 7-28 are new and not obvious thus, patentable.

Furthermore, Applicants assert that one skilled in the art would not be motivated to combine Ahmed et al. and Kagan. Ahmed et al. teach a method of establishing an ad-hoc mobile network between all in-range and out of range mobile stations which wish to join the ad-hoc network, and a routing table having routes based on the location indicator of each mobile station. Applicant respectfully asserts that the intention of Ahmed's teaching is to solve the problem of routing protocols which require a node to maintain accurate information of out of range mobile stations (column 2 lines 11-24) which is solved by using geometry-based routing protocols. In contrast, the intention of Kagan is to provide an interactive multiplayer game system by establishing an ad-hoc network between all the game mobile stations

APPLICANT(S): BURR, Jeremy
SERIAL NO.: 10/035,463
FILED: October 18, 2001
Page 11

in-range with direct routes to each other and without using a routing table and routing protocols to establish the ad-hoc network.

Accordingly, Applicant respectfully request that the §103 rejection of claims 1-5 and 7-28 be withdrawn.

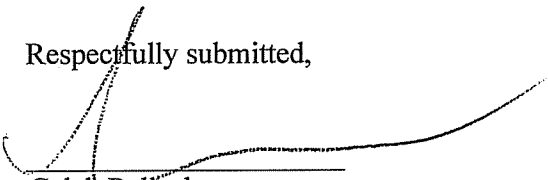
CONCLUSION

In view of the foregoing amendments and remarks, Applicant asserts that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

No fees are believed to be due in connection with this paper. However, if any such fees are due, please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



Caleb Pollack
Attorney/Agent for Applicant(s)
Registration No. 37,912

Dated: January 14, 2009

Pearl Cohen Zedek Latzer, LLP
1500 Broadway, 12th Floor
New York, New York 10036
Tel: (646) 878-0800
Fax: (646) 878-0801